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Drawing Amendments

There are no amendments to the drawings.

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Remarks

The Office Action of 11/22/2004 rejected claims 1, 2, 11, 12, 15, 16, and 21-24 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,797,910 by A.N. Daudelin. (Hereafter referred to as Daudelin). Further, the Office Action rejected claims 3-10, and 25 as being unpatentable under 35 U.S.C. §103(a) over Daudelin in view of U.S. Patent No. 5,956,675 by A.R. Setlur et al. (Hereafter referred to as Setlur). In addition, the Office Action rejected claims 13, 14, and 17-20 as being unpatentable under 35 U.S.C. §103(a) over Daudelin in view of U.S. Patent No. 6,718,024 by C. Heilmann et al. (Hereafter referred to as Heilmann). Finally, the Examiner objected to the Abstract of Disclosure and the disclosure for informalities. These informalities have been corrected. Applicants' attorney wishes to thank the Examiner for pointing out these informalities.

Rejection of Claims 1, 2, 11, and 12 under 35 U.S.C. 102(b)

This rejection is respectfully traversed.

It is well settled that to anticipate a claim, the reference must teach every element of the claim. See MPEP § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim." See MPEP § 2131, citing *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See MPEP § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913 (Fed. Cir. 1989). Applicants respectfully submit that the rejection does not satisfy these requirements.

Claim 1 recites:

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A method for doing call classification on a call to a destination endpoint, comprising the steps of:
receiving audio information from the destination endpoint;
analyzing received audio information for words using automatic speech recognition; and
determining the call classification from the analyzed words.

Clearly, claim 1 is directed to analyzing audio information received from a destination endpoint to determine call classification. The meaning of call classification is well understood to those skilled in the art. Applicants set forth this definition of call classification in the disclosure as follows:

Call classification is the ability of a telecommunications system to determine how a telephone call has been terminated at a called endpoint. An example of a termination signal that is received back for call classification purposes is a busy signal that is transmitted to the calling party upon the called party being already engaged in a telephone call. Another example is a reorder tone that is transmitted to the calling party by the telecommunication switching network if the calling party has made a mistake in the dialing the called party. Another example of a tone that has been used within the telecommunication network to indicate that a voice message will be played to the calling party is a special information tone (SIT) that is transmitted to the calling party before a recorded voice message is sent to the calling party. (See page 1, lines 8-21.)

This is the accepted definition of call classification as understood by those skilled in the art.

The Office Action states that "a receiver for receiving audio information from the called destination endpoint - a calling party customer provides input of speech or tones...; for collect calls, a called party responds 'yes' or 'no' to an announcement: 'You have a collect call, will you accept charges, yes or no'...speech or tones are 'audio information' and called party is the called destination endpoint;..." First, the reference to the calling party is not important since the calling party is not a destination endpoint. With respect to the called party, the call classification of the call is that of an answered call since the called party always terminates the call by answering the call. This is true whether or not the called party says "yes" or "no". The called party's answer is not

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used to do call classification but rather to determine whether to continue an answered call. This is not what claim 1 recites. Daudelin is directed to different telecommunication operations than those disclosed in claim 1.

In summary, applicants submit that claim 1 is patentable over Daudelin under 35 U.S.C. §102(b). Further, claims 2, 11, and 12, are directly dependent on claim 1 and are patentable for least the same reasons as claim 1.

Rejection of Claims 15 and 16 under 35 U.S.C. 102(b)

Claim 15 recites:

A method for doing call classification on a call to a destination endpoint, comprising the steps of:
receiving audio information from the destination endpoint;
analyzing received audio information for a first classification;
analyzing received audio information using automatic speech recognition for a second classification; and
determining the call classification from the first classification and the second classification.

Applicants submit that claim 15 is patentable over Daudelin under 35 U.S.C. §102(b) for the same reasons as claim 1. Further, claim 16 is directly dependent on claim 15 and is patentable for least the same reasons as claim 15.

Rejection of Claims 21-24 under 35 U.S.C. 102(b)

Claim 21 recites:

An apparatus for classifying a call to a called destination endpoint, comprising:
a receiver for receiving audio information from the called destination endpoint;
automatic speech recognizer for determining words in the received audio information; and
an inference engine for classifying the call destination endpoint in response to the determined words.

Applicants submit that claim 21 is patentable over Daudelin under 35 U.S.C. §102(b) for the same reasons as claim 1. Further, claims

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22-24 are directly or indirectly dependent on claim 21 and are patentable for least the same reasons as claim 21.

Rejection of Claims 3-10 and 25 under 35 U.S.C. 103(a)

The Office Action rejected dependent claims 3-10 and 25 under 35 U.S.C. 103(a) as being unpatentable over Daudelin in view of Setlur. This rejection is traversed. Dependent claims 3-10 are directly or indirectly dependent on claim 1 and are patentable for at least the same reasons as claim 1 since Setlur does not overcome previous detailed reasons for claim 1 being patentable over Daudelin under 35 U.S.C. 103. Dependent 25 is indirectly dependent on claim 21 and is patentable for at least the same reasons as claim 21 since Setlur does not overcome the previously detailed reasons for claim 21 being patentable over Daudelin under 35 U.S.C. 103.

Rejection of Claims 13, 14 and 17-20 under 35 U.S.C. 103(a)

The Office Action rejected dependent claims 13, 14 and 17-20 under 35 U.S.C. 103(a) as being unpatentable over Daudelin in view of Heilmann. This rejection is traversed. Dependent claims 13 and 14 are directly or indirectly dependent on claim 1 and are patentable for at least the same reasons as claim 1 since Heilmann does not overcome previous detailed reasons for claim 1 being patentable over Daudelin under 35 U.S.C. 103. Dependent claims 17-20 are directly or indirectly dependent on claim 15 and are patentable for at least the same reasons as claim 15 since Heilmann does not overcome the previously detailed reasons for claim 15 being patentable over Daudelin under 35 U.S.C. 103.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the Examiner is invited to call

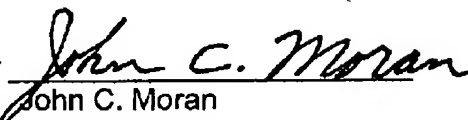
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applicants' attorney at the telephone number listed below.

Respectfully,

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